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15 Attorneys for Plaintiff
16 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

20 No. ED CR 18-0171-TJH

21 Plaintiff,

22 ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT [31]

23 v.

24 ERNESTO DIAZ AND RAYMOND DIAZ,

25 Defendant.

26 [PROPOSED] TRIAL DATE:
27 October 9, 2018

28 The Court has read and considered the Stipulation Regarding
Request for (1) Continuance of Trial Date and (2) Findings of
Excludable Time Periods Pursuant to Speedy Trial Act, filed by the
parties in this matter on July 17, 2018. The Court hereby finds that
the Stipulation, which this Court incorporates by reference into this
Order, demonstrates facts that support a continuance of the trial
date in this matter, and provides good cause for a finding of
excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

29 The Court further finds that: (i) the ends of justice served by
30 the continuance outweigh the best interest of the public and
31 defendant in a speedy trial; (ii) failure to grant the continuance

1 would be likely to make a continuation of the proceeding impossible,
2 or result in a miscarriage of justice; and (iii) failure to grant the
3 continuance would unreasonably deny defendant continuity of counsel
4 and would deny defense counsel the reasonable time necessary for
5 effective preparation, taking into account the exercise of due
6 diligence.

7 THEREFORE, FOR GOOD CAUSE SHOWN:

8 1. The trial in this matter is continued from August 7, 2018
9 to October 9, 2018.

10 2. The time period of August 7, 2018 to October 9, 2018,
11 inclusive, is excluded in computing the time within which the trial
12 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),
13 and (B)(iv).

14 3. Defendants shall appear in Courtroom 9B of the Federal
15 Courthouse, 350 W. 1st Street, Los Angeles, California on October 9,
16 2018 at 10:00 a.m.

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1 4. Nothing in this Order shall preclude a finding that other
2 provisions of the Speedy Trial Act dictate that additional time
3 periods are excluded from the period within which trial must
4 commence. Moreover, the same provisions and/or other provisions of
5 the Speedy Trial Act may in the future authorize the exclusion of
6 additional time periods from the period within which trial must
7 commence.

8 IT IS SO ORDERED.

9 July 23, 2018



10 DATE

HONORABLE TERRY J. HATTER JR.
SENIOR UNITED STATES DISTRICT
JUDGE

14 Presented by:

15 _____
16 /s/
17 EDWARD HAN
18 Assistant United States Attorney

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